

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
MISSISSIPPI, NORTHERN DIVISION

Erick B. Coleman v. The State of Mississippi, et al.

Coleman · No. 3:25-CV-663-KHJ-MTP · Decided January 6, 2026

SUMMARY

The United States District Court for the Southern District of Mississippi adopts a magistrate judge’s report and recommendation and remands Erick B. Coleman’s removed state criminal case to the Leake County Justice Court. The court concludes that the constitutional and statutory provisions cited by Coleman do not establish federal jurisdiction and notes that he filed no objections to the report and recommendation.

CASE DETAILS

COURT	United States District Court for the Southern District of Mississippi, Northern Division
WRITING FOR THE COURT	Kristi H. Johnson
JURISDICTION	United States District Court for the Southern District of Mississippi, Northern Division
DECIDED	January 6, 2026
DOCKET	3:25-CV-663-KHJ-MTP
DISPOSITION	remanded
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's unobjected-to report and recommendation recommending remand of a removed state criminal case to state court.
STANDARD OF REVIEW	When no party objects to a magistrate judge's report and recommendation, the district court need not conduct de novo review and may apply the clearly erroneous, abuse of discretion, and contrary-to-law standards.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- subject matter jurisdiction
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the federal district court had jurisdiction over Coleman's removed state criminal case under Article III, Section 2, 28 U.S.C. § 1331, § 1443(1), or § 1446(d).
2. Whether the magistrate judge's recommendation to remand the action to state court was clearly erroneous, an abuse of discretion, or contrary to law.

HOLDINGS

1. Article III, Section 2, 28 U.S.C. § 1331, 28 U.S.C. § 1443(1), and 28 U.S.C. § 1446(d) did not provide a basis for federal jurisdiction over Coleman's state criminal case.
2. When no party objects to a magistrate judge's report and recommendation, the district court need not review the report de novo and may apply the clearly erroneous, abuse of discretion, and contrary-to-law standards.

KEY QUOTATIONS

"Finding the [13] Report neither clearly erroneous, an abuse of discretion, nor contrary to law, the Court ADOPTS the [13] Report as its opinion and REMANDS this action to the Leake County Justice Court." (at 2)

FACTUAL BACKGROUND

Coleman alleged that he pleaded guilty in the Leake County Justice Court to disorderly conduct and operating a vehicle without a driver's license. He claimed that the justice court judge forced him into the plea agreement through threat, duress, and coercion. Coleman removed the criminal case to federal district court and asserted jurisdiction under Article III, Section 2, 28 U.S.C. §§ 1331, 1443(1), and 1446(d).

PROCEDURAL HISTORY

Erick B. Coleman removed his Leake County Justice Court criminal case to the Southern District of Mississippi, alleging that his guilty plea was coerced and asserting federal jurisdiction under Article III and several federal statutes. Magistrate Judge Michael T. Parker recommended remand to the Leake County Justice Court. Coleman did not file objections within the prescribed period, so the district court reviewed the report under the clearly erroneous, abuse of discretion, and contrary-to-law standards, adopted it, and remanded the action.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The action is remanded to the Leake County Justice Court.

CASES CITED

- United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF MISSISSIPPI NORTHERN DIVISION ERICK B. COLEMAN PLAINTIFF V. CIVIL ACTION NO. 3:25-CV-663-KHJ-MTP THE STATE OF MISSISSIPPI, et al. DEFENDANTS ORDER Before the Court is Magistrate Judge Michael T. Parker's [13] Report and Recommendation.

The [13] Report recommends remanding this case to the Leake County Justice Court. R. & R. [13] at 1. The Court adopts the [13] Report in its entirety. Pro se plaintiff Erick B. Coleman ("Coleman") alleges he pled guilty in the Leake County Justice Court to charges of disorderly conduct and operating a vehicle without a driver's license. Notice of Removal [1] at 2; Pl.'s Supporting Removal Docs.

[3-2] at 4. He removed his criminal case to this Court, chiefly claiming that the justice court judge forced him into the plea agreement under "threat, duress, and coercion." [1] at 2. Coleman says this Court has jurisdiction under Article III, Section 2 of the United States Constitution and 28 U.S.C. §§ 1331, 1443(1), and 1446(d). at 1.

The [13] Report recommends remanding Coleman's case to state court because neither Article III, Section 2 of the United States Constitution, nor any of the federal statutes Coleman cites support this Court's jurisdiction over Coleman's case.

[13] at 2-4. Magistrate Judge Parker issued the [13] Report on December 17, 2025, and the Clerk of Court served a copy on Coleman by mail the same day. [13] at 1. The [13] Report notified Coleman that failure to file written objections within 14 days would bar further appeal in accordance with 28 U.S.C. § 636.

[13] at 6. Coleman did not object to the [13] Report, and the time to do so has passed.! When no party objects to a magistrate judge's report, the Court need not review it de novo. See 28 U.S.C. § 636(b)(1). Instead, the Court can apply the clearly erroneous, abuse of discretion, and contrary to law standards of review. See United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir.

1989). Finding the [13] Report neither clearly erroneous, an abuse of discretion, nor contrary to law, the Court ADOPTS the [13] Report as its opinion and REMANDS this action to the Leake County Justice Court. In doing so, the Court has considered all arguments raised. Those arguments not addressed would not have altered the Court's decision. SO ORDERED, this 6th day of January, 2026. s/ Kristi H. Johnson UNITED STATES DISTRICT JUDGE!

A party proceeding pro se who is served with the report and recommendation by mail has 3 additional days added to the 14-day period, meaning that party has 17 days from the date the report and recommendation was mailed to serve and file objections. Fed. R. Civ. P. 6(d). If the last

day of that prescribed period falls on a Saturday, Sunday, or legal holiday, then the deadline is extended until the end of the next day that is not a Saturday, Sunday, or legal holiday.

Fed. R. Civ. P. 6(a)(1)(C). Under these rules, Coleman's objections were due no later than January 5, 2026.